

Amendments to the Claims

Claims 1 (currently amended): An isolated polynucleotide comprising an APAO encoding polynucleotide linked to a fumonisin esterase encoding polynucleotide, wherein the APAO encoding polynucleotide ~~comprises a member selected from~~ is selected from the group consisting of:

- a) a polynucleotide encoding a polypeptide ~~having deaminase enzyme activity selected from as set forth in SEQ ID NOS: 6, 11, 23, 33, 36, 38, 40, 42, 44, 46, 49, 51 and 53; and~~
- b) a polynucleotide having at least ~~70% 95%~~ sequence identity to a polynucleotide ~~selected from SEQ ID NOS: 5, 10, 22, 33, 35, 37, 39, 41, 43, 45, 48, set forth in SEQ ID NO: 50 and 52;~~ and
- c) a polynucleotide that hybridizes under stringent conditions to a polynucleotide set forth in SEQ ID NO: 50, wherein said stringent conditions comprise a last wash in 0.1X SSC and 0.1% sodium dodecyl sulfate at 65°C for 30 minutes a polynucleotide ~~selected from SEQ ID NOS: 5, 10, 22, 32, 35, 37, 39, 41, 43, 45, 48, 50 and 52.~~

Claim 2 (original): A recombinant expression cassette comprising a polynucleotide of claim 1 operably linked to a promoter.

Claim 3 (original): The recombinant expression cassette of claim 2 wherein the polynucleotide is operably linked to a plant signal sequence.

Claim 4 (original): A vector comprising the recombinant expression cassette of claim 2.

Claim 5 (original): A host cell comprising the recombinant expression cassette of claim 2.

Claim 6 (original): The host cell of claim 5 wherein the cell is a plant cell.

Claim 7 (original): The host cell of claim 6 wherein the plant cell is selected from the group consisting of maize, sorghum, wheat, tomato, soybean, alfalfa, sunflower, canola, cotton, barley, millet, and rice.

Claim 8 (currently amended): A plant comprising a the polynucleotide of claim 1.

Claim 9 (currently amended): A seed from a the plant of claim 7 8, wherein the seed comprises the isolated polynucleotide.

Claim 10 (withdrawn)

Claim 11 (original): The polynucleotide of claim 1 wherein the fumonisin esterase encoding polynucleotide is ESP1.

Claim 12 (original): The polynucleotide of claim 11 wherein the polynucleotide is set forth in SEQ ID NO: 24.

Claims 13-32 (withdrawn)

Claim 33 (currently amended): A host cell comprising an isolated APAO encoding polynucleotide and a fumonisin esterase encoding polynucleotide.

Claim 34 (currently amended): The host cell of claim 33 wherein the APAO encoding polynucleotide comprises a polynucleotide selected from the group consisting of:

- a) a polynucleotide encoding a polypeptide having deaminase enzyme activity set forth in SEQ ID NO: 51; and
- b) a polynucleotide having at least 70% 95% sequence identity to a polynucleotide selected from SEQ ID NOS: 5, 10, 22, 32, 35, 37, 39, 41, 43, 45, 48, and set forth in SEQ ID NO: 50; and

c) a polynucleotide that hybridizes under stringent conditions to a polynucleotide set forth in SEQ ID NO: 50, wherein said stringent conditions comprise a last wash in 0.1X SSC and 0.1% sodium dodecyl sulfate at 65°C for 30 minutes.

Claim 35 (currently amended): The host cell of claim 33 wherein the fumonisin esterase encoding polynucleotide is ~~selected from ESP1 and BEST1~~.

Claim 36 (original): The host cell of claim 33 wherein the cell is a plant cell.

Claim 37 (original): The host cell of claim 36 wherein the cell is selected from maize, sorghum, wheat, tomato, soybean, alfalfa, sunflower, canola, cotton, and rice.

Claim 38 (original): The host cell of claim 37 wherein the plant cell is regenerated into a plant.

Claims 39-41 (withdrawn)